


## CRIMINAL COMPLAINT

#09-239

<b>United States District Court</b>		DISTRICT Eastern District of Pennsylvania	
UNITED STATES OF AMERICA v. SALIM SHABAZZ CURTIS BROWN		DOCKET NO.	
		MAGISTRATE'S CASE NO. <b>09-1872</b>	
Complaint for violations of Title 18 United States Code §§ 1951(a) and 2			
NAME OF JUDGE OR MAGISTRATE  Honorable Timothy R. Rice		OFFICIAL TITLE  US Magistrate Judge	LOCATION  Philadelphia, PA
DATE OF OFFENSE  September 25, 2009	PLACE OF OFFENSE  Philadelphia, PA	ADDRESS OF ACCUSED (if known)	
COMPLAINANT'S STATEMENT OF FACTS CONSTITUTING THE OFFENSE OR VIOLATION:  On or about September 25, 2009, in the Eastern District of Pennsylvania, SALIM SHABAZZ and CURTIS BROWN, with others known or unknown, unlawfully obstructed, delayed, and affected commerce and the movement of articles and commodities in commerce, by robbery, in that SHABAZZ and BROWN conspired to and unlawfully took and obtained, and aided, abetted, and wilfully caused the unlawful taking and obtaining of, prescription narcotics, such as oxycontin, percocet and xanax from the AEX Group and from its employees and against their will by means of actual and threatened force, violence, and fear of injury, immediate and future, to employees of AEX Group, that is, by using force and intimidation and demanding prescription narcotics from employees in violation of Title 18, United States Code, Sections 1951 (a) and 2.			
<div style="text-align: center;"> <b>FILED</b>  NOV 17 2009  MICHAEL S. KUNZ, Clerk  By <i>[Signature]</i> Dep. Clerk </div>			
BASIS OF COMPLAINANT'S CHARGE AGAINST THE ACCUSED:  SEE AFFIDAVIT ATTACHED HERETO.			
MATERIAL WITNESSES IN RELATION AGAINST THE ACCUSED:			
Being duly sworn, I declare that the foregoing is true and correct to the best of my knowledge.		 SIGNATURE OF COMPLAINANT (official title) Joseph Majarowitz, Jr. OFFICIAL TITLE Special Agent, Federal Bureau of Investigation	
Sworn to before me and subscribed in my presence.			
SIGNATURE OF MAGISTRATE (1)  Honorable Timothy R. Rice, US Magistrate Judge		DATE  11-17-09	

1) See Federal Rules of Criminal Procedure rules 3 and 54.

I, Joseph Majarowitz Jr., being duly sworn, hereby depose and say:

1. I am a Special Agent of the Federal Bureau of Investigation (FBI) and have been so employed for fourteen years. I am presently assigned to the Criminal Section that investigates, among other crimes, bank robbery, Hobbs Act robbery, kidnaping, and fugitive cases. The statements in this affidavit are based on interviews of cooperating witnesses, police reports, physical evidence from crime scenes and an interview of the defendant. These statements are true and correct to the best of my knowledge, information and belief.

2. On or about September 25, 2009, a delivery person for AEX Group was making a delivery of prescription medication to the Upper Darby Pharmacy, 119 Long Lane, Upper Darby, Pennsylvania, when he was assaulted and robbed. The victim told police that at approximately 11:00 a.m. he drove his delivery van into the rear alleyway of the pharmacy. As he was unloading bags of prescription medication, he was ambushed by three black males who put something to the victim's side and forced him to get back into the delivery van and lay on the rear floor. The bandits got in the vehicle with the delivery driver, took his keys and bound his hands behind his back with cord. According to the driver, as one bandit drove the van, the other two bandits went through the various "tote" bags that the driver was scheduled to deliver to pharmacies on his AEX delivery route and stole boxes of narcotics. The driver related that one of the bandits continued to place and receive telephone calls on a cellular phone and the bandit talked with the caller about a place to meet up. The driver was taken to Essington Avenue by the Auto Mall. Here, the bandits stopped the delivery van and unloaded the narcotics that they had removed from the tote bags and the bandits left. The driver freed his hands after about two minutes and called police.

3. On or about September 25, 2009, at approximately 5:10 p.m. the Philadelphia Police Department executed a search warrant at barbershop located at 7051 Buist Avenue, Philadelphia, Pennsylvania. During the execution of the search warrant Philadelphia police recovered 51 ounces of codeine syrup, and approximately 3,000 prescription pills including xanax, percocet, vicodin and oxycontin in the area of the barber shop or in the possession of subjects who they observed fleeing from the barber shop. Police arrested five subjects during the execution of the

search warrant including SALIM SHABAZZ and CURTIS BROWN.

4. The Philadelphia Police contacted the Upper Darby Police due to the large amount of prescription narcotics that were recovered during the search, approximately six hours after the robbery of the AEX delivery driver. Police reviewed AEX delivery records and determined that one of the bottles (Oxycodone Hydrochloride) recovered during the execution of the search warrant at the barbershop had been stolen during the robbery of the AEX delivery driver.

5. Based in part on the above information, the Upper Darby Police Department obtained a warrant issued by the Commonwealth of Pennsylvania for the arrest of SALIM SHABAZZ and CURTIS BROWN, that charged them with the September 25, 2009, robbery of the AEX delivery driver.

6. On October 7, 2009, SALIM SHABAZZ was interviewed by your affiant at the Upper Darby Police Department. After being advised of the charges against him and after being given his Miranda warnings, SHABAZZ consented to be interviewed without an attorney present. Shabazz provided a signed statement in which he admitted to participating in the robbery of the AEX delivery driver outside the Upper Darby Pharmacy on September 25, 2009.

7. On October 7, 2009, CURTIS BROWN was also interviewed by your affiant at the Upper Darby Police Department. After being advised of the charges against him and after being given his Miranda warnings, BROWN consented to be interviewed without an attorney present. Brown provided a signed statement in which he admitted to participating in the robbery of the AEX delivery driver.

8. AEX Group is a business engaged in interstate commerce in that they deliver pharmaceutical products from Amerisource Bergen Drug Corporation in New York to pharmacies in various state including the Upper Darby Pharmacy, 119 Long Lane, Upper Darby, Pennsylvania.

7. Based on the foregoing facts, I believe probable cause exists that on or about September 25, 2009, SALIM SHABAZZ and CURTIS BROWN and other subjects known and unknown to the FBI robbed by force an employee of AEX Group, a business engaged in interstate commerce, taking prescription narcotics that had traveled from outside of Pennsylvania, in violation of United States Criminal

Code, Title 18, Section 1951 (a)(1).



JOSEPH MAJAROWITZ, JR.

Special Agent

Federal Bureau of Investigation

Sworn and subscribed before me  
this 17 day of November, 2009.



HONORABLE TIMOTHY R. RICE

United States Magistrate Judge